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18 UNITED STATES DISTRICT COURT
19 DISTRICT OF NEVADA

20 ESCO CORPORATION and ESCO CANADA,
21 LTD.,

22 Plaintiffs,

23 v.

24 CASHMAN EQUIPMENT COMPANY,
25 CATERPILLAR GLOBAL MINING LLC,
26 CATERPILLAR, INC., RAPTOR MINING
27 PRODUCTS (USA), INC. and RAPTOR
28 MINING PRODUCTS, INC.

Defendants.

Lead Case No.: 2:12-cv-01545-RCJ-CWH

Consolidated Cases: (2:12-cv-01545-RCJ-
CWH, 2:14-cv-529-RCJ-PAL)

**JOINT STIPULATION AND ORDER
FOR EXTENSION OF TIME FOR
PLAINTIFFS ESCO CORPORATION
AND ESCO CANADA, LTD. TO
RESPOND TO DEFENDANTS'
ANSWERS AND COUNTERCLAIMS TO
AMENDED AND CONSOLIDATED
COMPLAINT**

(First Request)

1 Plaintiffs/Counter-defendants ESCO Corporation and ESCO Canada Ltd. (collectively
2 “Plaintiffs”) and Defendants/Counterclaimants Cashman Equipment Company, Caterpillar
3 Global Mining LLC, Caterpillar Inc. (together, the “Caterpillar Parties”), Raptor Mining
4 Products, (USA), Inc. and Raptor Mining Products, Inc. (together, the “Raptor Parties” and
5 collectively with the Caterpillar Parties, the “Defendants”), through their undersigned counsel of
6 record, and pursuant to L.R. 6-1 and 7-1, hereby agree and stipulate to the Court’s entry of an
7 *Order* providing that Plaintiffs shall have a one month extension of time to file their responses to
8 Defendants’ Answers and Counterclaims to Plaintiffs’ Amended and Consolidated Complaint.
9 (Dkt. Nos. 136 and 137). After consolidation of Case Nos. 2:12-cv-01545-RCJ-CWH and 2:14-
10 cv-529-RCJ-PAL, Plaintiffs filed a consolidated Complaint on March 2, 2015, (Dkt. No. 130),
11 pursuant to the Court’s Order on February 9, 2015. (Dkt. No. 129). Defendants’ respective
12 Answers and Counterclaims were filed on March 19, 2015, and Plaintiffs’ responses are
13 currently due on April 13, 2015. Defendants have now agreed to allow Plaintiffs one month of
14 additional time to respond, making the responses due on May 13, 2015. The parties have not
15 previously requested extensions regarding the amended and consolidated pleadings.

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18 There is good cause for this stipulation, including that claim construction activities are
19 ongoing through May 6, 2015, and certain of the Defendants have now asserted, for the first
20 time, antitrust claims, for which ESCO is retaining antitrust counsel. Moreover, this extension is
21 not requested for any improper purpose or delay. Finally, the extension is consistent with
22 previous extensions of time to respond to pleadings. (*See, e.g.*, Dkt. Nos. 21 and 22).

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1 Dated this 7th day of April, 2015.

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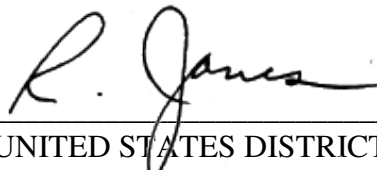
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IT IS SO ORDERED:

24 
25 _____
26 UNITED STATES DISTRICT JUDGE

27 DATED: ____ April 8, 2015 ____

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 7, 2015 a true and correct copy of the foregoing **JOINT STIPULATION AND ORDER FOR EXTENSION OF TIME FOR PLAINTIFFS ESCO CORPORATION AND ESCO CANADA, LTD. TO RESPOND TO DEFENDANTS' ANSWERS AND COUNTERCLAIMS TO AMENDED AND CONSOLIDATED COMPLAINT** will be served upon all counsel of record who are registered participants via electronic mail through the United States District Court's CM/ECF system.

DATED: April 7, 2015

/s/ Eric J. Hamp